

Sec. 22-46. Noise disturbance prohibited generally.

(a) No person shall make, continue or cause to be made or continued, except as permitted in this article, any noise or sound which constitutes a noise disturbance. In the absence of specific maximum noise levels, a noise level must exceed the ambient noise level by five dBA or more, when measured at the nearest property line or, in the case of a multifamily residential building, when measured anywhere in one dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, in order to constitute a noise disturbance.

(b) Any person, including a police officer, or a municipal zoning or building official, may be a complainant for the purposes of instituting action for any violation of this chapter. For any violation of this section, the receiving land use involved may include real property contiguous to, or bounding the real property containing the source of the sound which is the subject of the violation.

(Code 1986, § 9-15; Ch. 849, § 1, 7-7-2004)

Sec. 22-47. Maximum permissible sound levels by receiving land use.

(a) With the exception of sound levels elsewhere specifically authorized or allowed in this article or exempted by this article or by variance, the following are the maximum permissible sound levels allowed at or within the real property boundary of a receiving land use:

Table I. Zoning District Noise Standard

Maximum Allowable Octave Band Sound Pressure Levels

TABLE INSET:

Octave band center frequency of all measurement (HZ)	Residential		Business Zones (BA, BB, and BC)			Industrial Zones (IA and IB)	
	Daytime *		All other timesAny time			Daytime *	All other times
31.5	76	68	79	72	83		
63	75	67	78	71	83		
125	69	61	73	65	77		
250	62	52	68	57	73		
500	56	46	62	51	67		
1,000	50	40	56	45	61		
2,000	45	33	51	39	57		
4,000	40	28	47	34	53		
8,000	38	26	44	32	50		
Single number equivalent			60 dB(A)	50 dB(A)		65 dB(A)	55 dB(A)
	70 dB(A)						

*8:00 a.m.--10:00 p.m.

(b) For any source of sound which emits a pure tone, the maximum sound level limits set forth in subsection (a) of this section shall be reduced by five dBA.

(c) Exceptions to table I are activities covered by sections 22-48, 22-52, 22-54, and 22-59.

(Code 1986, § 9-16; Ch. 849, § 1, 7-7-2004)

Sec. 22-48. Emergency signaling devices.

(a) No person shall operate or permit the intentional sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle, or similar stationary emergency signaling device, except for emergency purposes or for testing, as provided in subsection (b) of this section.

(b) Testing of a stationary emergency signaling device shall occur at the same time of day each time the test is performed, but not before 8:00 a.m. or after 9:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall the test time exceed 60 seconds.

(Code 1986, § 9-17)

Sec. 22-49. Specific activities prohibited.

The following actions are prohibited only when causing a noise disturbance as defined in this article:

(1) Hawkers and peddlers. No person shall create a noise disturbance by offering for sale or selling anything by shouting or outcry across a real property boundary. The provisions of this section shall not be construed to prohibit the selling by outcry of merchandise, food and beverages at licensed sporting events, parades, fairs, circuses or other similar licensed public entertainment events.

(2) Vehicle or motorboat repairs or testing. No person shall repair, rebuild, modify or test any motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disturbance across a real property boundary.

(3) Horns, signaling devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle on any street or public place of the city, except as a danger warning.

(4) Loudspeakers, amplifiers for advertising. The using, operating or permitting to be played, used or operated of any radio receiving device, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is broadcast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(5) Yelling, shouting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m.

(6) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(7) Defect in vehicle or load. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such condition as to create a noise disturbance.

(8) Loading, unloading, opening boxes. The creation of a noise disturbance in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(9) Schools, courts, churches, hospitals. The creation of any noise disturbance on any street adjacent to any school, institution of learning, church or court while the school, institution of learning, church or court are in use, or adjacent to any hospital, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(10) Disorderly house. No person shall do either of the following:

- a. Keep a disorderly house whereby the peace, comfort, or decency of a neighbor is habitually disturbed; or
- b. Being the owner of and in control of the premises to permit them to be so used;
- c. For purposes of this section a disorderly house is defined as a residence or dwelling in which two noise disturbances resulting in convictions in the municipal court have occurred within a period of 12 months or less;
- d. The owner of any such residence or dwelling may assert as a defense reasonable efforts to take action against the perpetrators of the violation of this article, including the initiation of eviction proceedings pursuant to Rhode Island General Laws.

(Code 1986, § 9-18; Ch. 849, § 1, 7-7-2004)

Sec. 22-50. Musical instruments and similar devices.

No person shall operate, play or permit the operation of any musical instrument, phonograph or other machine or device for the production or reproduction of sound, including but not limited to any stereo, radio, television, musical instrument or other noise making device for the producing or reproducing of sound within a motor vehicle, using or operating such instrument or device and such persons who are voluntarily listeners thereto or in such manner as to constitute a noise disturbance. In addition, the operation of any such instrument, phonograph, television, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be a violation of this section; provided, that nothing contained in this section shall prohibit performances by the ringing of bells in a tower, or by a band or orchestra in a hall, building or in the open air that is otherwise in compliance with local ordinances.

(Code 1986, § 9-19; Ch. 849, § 1, 7-7-2004)